

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22cv-00293-JRG
(Lead Case)

NETLIST, INC.

Plaintiff,

v.

MICRON TECHNOLOGY TEXAS, LLC, et al.

Defendants.

Civil Case No. 2:22cv-00294-JRG
(Member Case)

**NOTICE OF SUPPLEMENTAL AUTHORITY TO SAMSUNG'S MOTION
TO (1) SEVER AND TRANSFER THE '912 PATENT TO THE N.D. CAL.; AND (2)
STAY THE REMAINING PATENTS PENDING NINTH CIRCUIT APPEAL, OR (3)
ALTERNATIVELY, CONSOLIDATE WITH CIVIL ACTION NO. 2:21-CV-463**

Samsung filed a motion on September 20, 2022 requesting that the Court sever and transfer U.S. Patent No. 7,619,912, stay the case pending the resolution of the Ninth Circuit appeal regarding Samsung's license to the asserted patents, or alternatively consolidate this case with Civil Action No. 2:21-CV-463. Dkt. No. 20. Samsung submits this Notice of Supplemental Authority notifying the Court that the Patent Trial and Appeal Board (PTAB) has granted institution of *Inter Partes* review of the challenged claim as to asserted U.S. Patent No. 7,619,912. This decision relates directly to statements Netlist made in its opposition, Dkt. No.

21 at 12 and 13 n.2. For completeness of the record, Samsung hereby attaches a copy of the Institution Decision as Exhibit A (October 19, 2022 institution decision in *Inter Partes* Review in IPR2022-00615 relating to U.S. Patent No. 7,619,912).

Date: October 24, 2022

Respectfully submitted,

/s/ Francis J. Albert

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Attorneys for Defendants Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on October 24, 2022. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Francis J. Albert